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Michael Shappell

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EXAMINER

SONG, DAEHO D

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/693,228	Applicant(s) SHAPPELL ET AL.	
	Examiner DAEHO D. SONG	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Applicant's Response

In Applicant's Response dated 06/10/2008, Applicant amended Claims 1-12, 15-17 and 19, canceled Claims 13, 14 and 18, and argued against all rejections previously set forth in the Office Action dated 12/11/2007.

In light of Applicant's amendments and remarks, the rejections of Claims 1-16 under 35 U.S.C. 101 are withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 17, 19 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Markki et al. (hereinafter Markki): US Patent Application Pub. No. 2004/0243672.

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Markki teaches:

Claim 17. A method of forming a group space to enable interaction between a first user and at least one other user over a network comprising:

displaying to the first user via a first user display a group folder object having associated therewith a first selectable task for forming a group comprising the first user and at least one other user (fig. 8; [0196]: displaying a group folder having associated selectable tasks for forming a group comprising the first user and another user);

transmitting from the first user a request to join the group by sending a communication over the network to a computing device used by the at least one other user to initiate a group communication session between the first user and the at least one other user ([0050]: invitation to join the group by sending a message from a first user to another member to initiate a group session among the members); and

receiving a response to the invitation request by receipt of a unique numeric identifier associated with the at least one other user ([0042][0043]: receiving a unique identifier associated with the group member in response to the request);

displaying a selectable indicator for visually presenting a group list to the first user, the group list including an indication field of a role for each of the members in the list wherein the list of group members includes indicia concerning connection by each group members to the network (fig. 8; [0073][0192][0196]: presenting a group listing including specified metadata for group members with a specific role in a group, wherein the group list includes indicators showing sharing status among each group members).

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Claim 19. The method according to claim 17, further comprising presenting a group space to the first user in response to receipt of the selection of the task wherein the group space includes a second selectable group icon associated with a list of members comprising the first user and at least one other user who is a member of the group (fig. 8; [0196]: presenting a second selectable group icon associated with a group list in response to the selection of the task).

Claim 20. The method according to claim 19, wherein the network comprises a peer-to-peer network ([0025]: a peer-to-peer network environment).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pearson (U.S. Patent Application Pub. No. 2003/0028610) in view of Markki.

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Pearson teaches:

Claim 1. A computer storage medium comprising computer executable code for creating a graphical user interface presented on a display in communication with a processor associated with a group interaction application for facilitating file sharing among a first member of a group and at least one other member of the group over a network, the computer executable code comprising code for displaying:

a group space comprising a first display area for providing an appearance of a shared file location in which at least one of the other group members may access (fig. 9; [0051]:

a shared files pane/a first display area that presents a shared file in which another group member may access);

at least one control located in a second display area selectable by the first user for selecting at least one task associated with the group space and to activate certain operations with respect to files located in the first display area, such that at least one other group members is automatically shown the result of the operations performed with respect to the files displayed in the first display area (fig. 9.; [0008][0011][0051]: a

treeview control pane/a second display area in which a task is selectable with respect to files and activated with an operation, and the first host computer generates a list of other host computers, which correspond to a list of group members where a user-selected file is stored); and

Pearson fails to expressly disclose:

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a selectable indicator for visually presenting a group list to the first user, the group list including an indication field of a role for each of the members in the list wherein the list of group members includes indicia concerning connection by each group members to the network.

Markki expressly teaches:

a selectable indicator for visually presenting a group list to the first user, the group list including an indication field of a role for each of the members in the list wherein the list of group members includes indicia concerning connection by each group members to the network (fig. 8; [0073][0192][0196]: presenting a group listing including specified metadata for group members with a specific role in a group, wherein the group list includes indicators showing sharing status among each group members).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system, disclosed in Pearson, to include:

a selectable indicator for visually presenting a group list to the first user, the group list including an indication field of a role for each of the members in the list wherein the list of group members includes indicia concerning connection by each group members to the network, for the purpose of providing a way of offering capabilities to individuals to share the digital items with other individuals with the sharing technologies, as taught in Markki (see [0002]).

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Pearson teaches:

Claim 2. The computer storage medium as in claim 1, wherein the network is a peer-to-peer network ([0027]: the peer-to-peer network).

Claim 3:

Pearson fails to expressly disclose:

the at least one task comprises a first computer file system task usable to perform a drag and drop operation with respect to files located in the first display area.

Markki teaches:

the at least one task comprises a first computer file system task usable to perform a drag and drop operation with respect to files located in the first display area ([0107]: performing a drag and drop operation with respect to files in a GUI window).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system, disclosed in Pearson, to include: *the at least one task comprises a first computer file system task usable to perform a drag and drop operation with respect to files located in the first display area*, for the purpose of providing a way of offering capabilities to individuals to share the digital items with other individuals with the sharing technologies, as taught in Markki (see [0002]).

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Claim 4:

Pearson fails to expressly disclose:

the at least one task comprises a first computer file system task usable to perform at least one of a copy, cut, paste or edit operation with respect to files located in the first display area.

Markki teaches:

the at least one task comprises a first computer file system task usable to perform at least one of a copy, cut, paste or edit operation with respect to files located in the first display area ([0093]: performing a copy operation with respect to files in a GUI window).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system, disclosed in Pearson, to include:

the at least one task comprises a first computer file system task usable to perform at least one of a copy, cut, paste or edit operation with respect to files located in the first display area, for the purpose of providing a way of offering capabilities to individuals to share the digital items with other individuals with the sharing technologies, as taught in Markki (see [0002]).

Pearson further teaches:

Claim 5:

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The computer storage medium as in claim 1, wherein the group space is comprised of a subfolder that is displayed in a folder view (fig. 9.: the folder named “Arrivals” is a subfolder which is displayed within the folder of “OthNet”).

Claim 6. The computer storage medium as in claim 1, wherein the first user may perform file system operations with respect to files in the shared space on the basis of permissions being granted to the first user ([0045]: “permission to share” is required by the file sharing administrator/the first user).

Claim 7. The computer storage medium as in claim 1, wherein said group space is assigned a unique identifier that is made available to the at least one other member ([0045]: generating a unique identifier for use by the host computers/group members of the file-sharing system).

Claim 8. The computer storage medium as in claim 7, wherein each of the group members having access to said group space is assigned a unique identifier that is made available to the other group members ([0045]: a unique identifier in identifying files to be shared among the host computers/group members).

Claim 9:

Pearson fails to expressly disclose:

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a second control located in the second display area, the second control including a drop-down menu selectable by the first user for defining one of a plurality of roles for the at least one other group member.

Markki teaches:

a second control located in the second display area, the second control including a drop-down menu selectable by the first user for defining one of a plurality of roles for the at least one other group member ([0192]: setting a group-specific metadata, such as a specific role for a group member).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system, disclosed in Pearson, to include:

a second control located in the second display area, the second control including a drop-down menu selectable by the first user for defining one of a plurality of roles for the at least one other group member, for the purpose of providing a way of offering capabilities to individuals to share the digital items with other individuals with the sharing technologies, as taught in Markki (see [0002]).

Pearson further teaches:

Claim 10. The computer storage medium as in claim 1 further comprising a second control located in the second display area, the second control selectable by the first user for adding at least one additional group member ([0028]: adding a new host

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computer/new member to the host list).

Claim 11. The computer storage medium as in claim 1, wherein the appearance of the first group space may be altered by the first user, and wherein the group interaction program further comprises means for causing the appearance of a corresponding group space displayed to the at least one other group member to also be altered consistent with the alteration of the first group space ([0065]: alterations on the files displayed with checked checkboxes on the user's host computer/the first user for sharing are consistent with the alterations of other host computers).

Claim 12.

Pearson fails to expressly disclose:

displaying receiving an indication of a file dropped by the first user whereby a notification corresponding to the indication is automatically transmitted to the at least one other online group member.

Markki teaches:

displaying receiving an indication of a file dropped by the first user whereby a notification corresponding to the indication is automatically transmitted to the at least one other online group member ([0089]: receiving status sends a notification of completion of network operations).

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Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system, disclosed in Pearson, to include: *displaying receiving an indication of a file dropped by the first user whereby a notification corresponding to the indication is automatically transmitted to the at least one other online group member*, for the purpose of providing a way of offering capabilities to individuals to share the digital items with other individuals with the sharing technologies, as taught in Markki (see [0002]).

3. Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zaner et al. (hereinafter Zaner): US Patent Application Pub. No. 2004/0041836 in view of Markki.

Zaner teaches:

Claim 15. A computer storage medium comprising computer executable code for creating a graphical user interface presented on a display in communication with a processor for facilitating an online group interaction among a first online member of a group and at least one other online member of the group over a computer network the computer executable code comprising code for displaying:
a first shared space display area that acts as a drop location for at least one file icon, which upon dropping also becomes visible to the at least one other online member of the group, wherein a shared file associated with the at least one dropped file icon may

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be retrieved by selecting the associated icon (fig. 10; [0071]: the corkboard/a first shared space acts as a drop target, accepting dragged and dropped files); and at least one visible task item selectable by the first user to activate an operation to be performed with respect to the first shared space display area (fig. 10: a visible task item is selectable by the first user for an operation to be performed); and

Zaner fails to expressly disclose:

a selectable indicator for visually presenting a group list to the first user, the group list including an indication field of a role for each of the members in the list wherein the list of group members includes indicia concerning connection by each group members to the network.

Markki expressly teaches:

a selectable indicator for visually presenting a group list to the first user, the group list including an indication field of a role for each of the members in the list wherein the list of group members includes indicia concerning connection by each group members to the network (fig. 8; [0073][0192][0196]: presenting a group listing including specified metadata for group members with a specific role in a group, wherein the group list includes indicators showing sharing status among each group members).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system, disclosed in Zaner, to include:

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a selectable indicator for visually presenting a group list to the first user, the group list including an indication field of a role for each of the members in the list wherein the list of group members includes indicia concerning connection by each group members to the network, for the purpose of providing a way of offering capabilities to individuals to share the digital items with other individuals with the sharing technologies, as taught in Markki (see [0002]).

Zaner teaches:

Claim 16. The graphical user interface as in claim 15, wherein the computer network comprises a peer-to-peer network ([0009]: a peer-to-peer network environment).

Response to Arguments

4. Applicant's arguments against the rejections based on 35 U.S.C. § 102 with respect to Claims 1-12 have been considered, but they are not persuasive.

Applicant argues that Markki fails to disclose:

a selectable indicator for visually presenting a group list to the first user, the group list including an indication field of a role for each of the members in the list wherein the list of group members includes indicia concerning connection by each group members to the network.

The examiner disagrees.

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As indicated in the above rejection for Claim 1, 15 and 17 Markki discloses **presenting** a group listing including specified metadata for group members with a specific **role** in a group, wherein the group list includes **indicators** showing sharing status among each group members (see fig. 8 and [0073][0192][0196]).

5. Applicant's arguments against the rejections based on 35 U.S.C. 103 with respect to Claims 15-17 and 19-20 have been considered but are moot in view of the new grounds of rejection.

Conclusion

THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAEHO D. SONG whose telephone number is (571)272-7524. The examiner can normally be reached on Mon-Fri 7:30-5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 5712724137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/D. D. S./
Examiner, Art Unit 2176

/Rachna S Desai/
Primary Examiner, Art Unit 2176